

ENTERED

January 13, 2025

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE: ANADARKO PETROLEUM
CORPORATION SECURITIES LITIGATION

§
§
§ CIVIL ACTION NO. 4:20-CV-0576
§

ORDER

On March 19, 2024 Judge Bryan entered an Order regarding the process for review of documents pursuant to Judge Eskridge’s appointment of her as a Special Master for a review of documents subject to Judge Eskridge’s finding of privilege waiver and the making of a “recommendation as to whether each document does or does not fall within the scope of the prior finding of privilege waiver.” ECF 220. Per the Special Master’s March 19, 2024 Order (ECF 224), Defendant was not required at that time to redact the challenged documents; was required to produce an updated privilege log with additional information; was required to create a list of categories used to describe the types of challenged documents; and was required to submit exemplar documents from each challenged category. In addition, the March 19, 2024 Order provided for briefing from the parties’ regarding their positions on the privilege waiver issues.

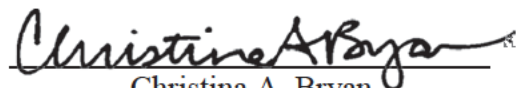
The Special Master has reviewed the parties’ briefing and the exemplar documents and has reached some preliminary rulings. At this time, the Court does not intend to invite ex parte communication with either party during the privilege

waiver review process. The Court intends to proceed with a joint hearing/hearings, and reserves the right to excuse a party for limited periods if, in the Special Master's opinion, some information relevant to the determination of privilege waiver ought to be obtained ex parte.

In addition, the Court finds that the Defendant's position regarding Judge Eskridge's privilege waiver ruling, as expressed in Defendant's briefing to the Special Master, essentially asks the Special Master to disregard Judge Eskridge's and the Fifth Circuit's prior rulings, which the Special Master will not do. However, having reviewed the exemplar documents for the categories of documents identified by Defendant, the Special Master requires additional information before making a recommendation, with respect to each document, as to whether it falls within the scope of Judge Eskridge's finding of privilege waiver.

It is therefore ORDERED that the Court will hold a hearing on the record to address these issues and the review process on February 10, 2025 at 1:00 p.m. at the United States Courthouse, Courtroom 701, 515 Rusk Street, Houston, Texas 77002.

Signed on January 13, 2025, at Houston, Texas.


Christina A. Bryan
United States Magistrate Judge